

JAN 24 2013

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

JUDICIAL COUNCIL
OF THE NINTH CIRCUIT

IN RE COMPLAINT OF
JUDICIAL MISCONDUCT

No. 12-90152

ORDER

KOZINSKI, Chief Judge:

Complainant alleges that a district judge made erroneous rulings in his case. These allegations are merits-related and must therefore be dismissed. See 28 U.S.C. § 352(b)(1)(A)(ii); In re Charge of Judicial Misconduct, 685 F.2d 1226, 1227 (9th Cir. Jud. Council 1982); Judicial-Conduct Rule 11(c)(1)(B). Complainant also complains that the district judge didn't give him a hearing. But no hearing was warranted because complainant failed to pay required filing fees and to comply with local filing rules, and, in any event, the district judge determined his case was frivolous and failed to state a claim. See 42 U.S.C. § 1997e.

DISMISSED.